

2-22-2

18,50

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UTILITY
PATENT APPLICATION
TRANSMITTAL

Our Docket No.: A792.12-0015

Date: February 25, 2002

First Named Inventor: Nicholas P. Van Brunt et al.

Title: METHOD AND APPARATUS FOR INDUCING SPUTUM SAMPLES FOR DIAGNOSTIC EVALUATION

Express Mail No.: EL328156403US

10/083966 10/083966

APPLICATION ELEMENTS

ADDRESS TO:

Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231

- [X] Fee Calculation Sheet (Submit an original and a duplicate for fee processing)
- 2. [X] Applicant claims small entity status
- 3. [X] Specification

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Total Pages [17]

- Descriptive title of the invention
- Cross References to Related Applications
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure
- 4. [X] Drawings (35 U.S.C. 113)

Total Sheets [5]
Total Pages [2]

- 5. [X] Oath or Declaration
 a. [] Newly Executed (original or copy)
 - b. [X] Copy from a prior application (37 C.F.R. 1.63(d) for continuation/divisional with Box 18 completed)

[Mark Box 5 below]

- I. | DELETION OF INVENTOR(S)
 Signed statement attached deleting
 inventor(s) named in the prior application,
 see 37 C.F.R. 1.63(d)(2) and 1.33(b)
- 6. [X] Application Data Sheet. See 37 CFR 1.76.

7. [] CD-ROM or CD-R in duplicate, large

table or Computer Program (Appendix)

- Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)
 - a. [] Computer Readable Copy (CRF)
 - b. Specification Sequence Listing on:
 - i. [] CD-ROM or CD-R (2 copies; or
 - c. Statements verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

- 9 [] Assignment Papers (cover sheet & document(s)) (copy)
- 10. [] 37 C.F.R. 3.73(b) Submission
 - □ Power of Attorney
- [X] Information Disclosure Statement with copies of Citations as necessary
 - B. Preliminary Amendment

Total Pages []

- [X] Return Receipt Postcard (Should be specifically itemized)
- Certified Copy of Priority document(s) (If foreign priority is claimed)
- 16. Request and Certification under 35
 - U.S.C.122(b)(2)(B)(i). (Nonpublication Request
- 17. [] Other

18. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

[X] Continuation

Division

Continuation-in-part (CIP) of prior Application No. 09/387,312

Prior Application Information: Examiner <u>Pamela Wingood</u> Group Art Unit <u>3736</u>

For CONTINUATION OR DIVISIONAL APPS only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

ATTY NAME AND REG. NO.	David R. Fairbairn, Reg. No. 26,047	SIGNATURE: CASIEFAL
ADDRESS	Kinney & Lange, P.A. THE KINNEY & LANGE BUILDING 312 South Third Street Minneapolis, MN 55415-1002	
TELEPHONE	(612) 339-1863	FAX: (612) 339-6580

Fee Code (\$) Code (\$) 103 18 203 9 Claims in excess of 20 102 84 202 42 Independent claims in excess of 3 104 280 204 140 Multiple Dependent Claim 109 84 209 42 Reissue Independent Claims 100 18 210 9 Reissue claims in excess of 20 110 18 210 9 Reissue claims in excess of 20 112 130 122 130 Petitions related to provisional applications 120 123 50 123 50 Petitions related to provisional applications 120 180 126 180 Submission of Information Disclosure Statement 120 180 126 180 126 180 Submission of Information Disclosure Statement 121 180 122 130 Petitions related to provisional applications 122 130 123 50 Petitions related to provisional applications 123 180 127 180 128 180 Submission of Information Disclosure Statement 124 180 126 180 126 180 Submission of Information Disclosure Statement 125 180 127 180 128 180 Submission of Information Disclosure Statement 126 180 126 180 26 180 Submission of Information Disclosure Statement 127 180 128 180 128 180 Submission of Information Disclosure Statement 128 180 126 180 26 180 Submission of Information Disclosure Statement 128 180 126 180 26 180 Submission of Information Disclosure Statement 128 180 126 180 26 180 Submission of Information Disclosure Statement 128 180 126 180 26 180 Submission of Information Disclosure Statement 128 180 126 180 26 180 Submission of Information Disclosure Statement 128 180 128 180 26 180 Submission of Information Disclosure Statement 128 180 128 180 26 180 Submission of Information Disclosure Statement 128 180 129 180 26 180 26 180 Submission of Information Disclosure Statement 128 180 129 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 180 26 1		Complete if Known	Complete if Known			
First Named Inventor	FEE TRANSMITTAL	Application No.				
Croup Art Unit Examiner Name		Filing Date Herewith	Herewith			
Examiner Name		First Named Inventor Nicholas P. Van Brunt				
Atty. Docket Number		Group Art Unit				
Total Amount of Payment S95.00		Examiner Name				
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any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account Name: Kinney & Lange, P.A. 105 130 205 65 Surcharge - Late fing fee or oath						
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Signature Jan Jal	Reg. No	26,047	
David R. Fairbaim			
Date 2/25/02	Deposit Account No	11-0982	